

INTRODUCED BY: Alderman Gosh

AN ORDINANCE AMENDING CHAPTER 125, ARTICLE II “COURT CLERK” OF THE CODE OF ORDINANCES OF THE CITY OF WARSON WOODS

WHEREAS, to comply with requirements of the Missouri Supreme Court, the City of Warson Woods has entered into a cooperative agreement with the City of Oakland and the City of Glendale to share municipal court administration services;

WHEREAS, the Board of Aldermen desires to amend code to reflect this new arrangement as it pertains to the Court Clerk position.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, AS FOLLOWS:

Section One. Chapter 125, Article II (“Court Clerk”) of the Municipal Code of the Warson Woods, Missouri is hereby amended by repealing it in its entirety and enacting in its place a new Article II to read as follows:

Chapter 125. Municipal Court

Article II. Court Clerk

Section 125.270. Office Established.

- A. There is hereby established the office of Court Clerk for the City of Warson Woods Municipal Division of the St. Louis County Circuit Court.
- B. As an alternative to employing a Court Clerk for the City of Warson Woods Municipal Division of the St. Louis County Circuit Court, the City of Warson Woods may contract, by ordinance duly approved, with another municipality or municipalities to have the Court Clerk services provided pursuant to the terms of a cooperation agreement.

Section 125.280. Selection and Term of Court Clerk.

The Court Clerk shall be appointed by the Mayor with the consent of a majority of the members of the Board of Aldermen to serve for an unspecified term at the will of the Mayor and Board of Aldermen unless the City contracts for such services pursuant to Section 125.270.B, in which case the Court Clerk shall be the person(s) authorized by the terms of the cooperation agreement to serve as the City’s Court Clerk.

Section 125.290. Duties.

The Court Clerk shall attend all sessions of the Warson Woods Municipal Division of the 21st Judicial Circuit Court and perform the duties of the office at such additional times as the Mayor or Board of Aldermen may specify. Compensation for the Court Clerk shall be established by ordinance from time to time unless the City contracts for such services pursuant to Section 125.270.B, in which case the terms of the cooperation agreement shall govern.

Section 125.300. Bond.

Within fifteen (15) days after appointment and before entering upon the discharge of the above-described duties of office, the Court Clerk shall give bond to the City in a sum as approved by the Board of Aldermen from time to time conditioned upon the faithful performance of said duties and the said Court Clerk will pay over all monies belonging to the City, as provided by law, that may come into the Court Clerk's hands.

Section Two. The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the Board of Aldermen would have enacted the valid portions without the invalid ones, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section Three. This Ordinance shall be in full force and effect on and after its passage and approval by the Board and the Mayor.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO
PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS,
MISSOURI THIS 16th DAY OF OCTOBER, 2018.

Laurance M. Howe, Mayor

ATTEST:

Kathy Mahany, City Clerk

APPROVED AS TO FORM:

Paul V. Rost, City Attorney